

**SUBSTITUTE REISSUE DECLARATION, POWER OF ATTORNEY  
AND ASSENT OF ASSIGNEE**

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HIROSHI ODAGIRI, KEISUKE TSUBATA, TAKESHI OONO, KAZUMI  
SAKUMOTO and CHIAKI NAKAMURA hereby declare:

1. That we are citizens of Japan, residing at C/O Seiko Instruments Inc., 8, Nakase 1-chome, Mihama-ku, Chiba-shi, Chiba 261, Japan. Our post office address is C/O Seiko Instruments Inc., 8, Nakase 1-chome, Mihama-ku, Chiba-shi, Chiba 261, Japan.

2. That we verily believe that we are the original, first and joint inventors of the subject matter described and claimed in United States Letters Patent No. 5,905,460 issued May 18, 1999, and in the specification filed on August 25, 1997 as Application Serial No. 08/918,200 ("200 application") for which we solicit a reissue patent.

3. That we have reviewed and understand the contents of the specification, including the claims.

4. That we acknowledge our duty to disclose to the U.S. Patent and Trademark Office all information which is material to the patentability of this reissue application in accordance with Title 37, Code of Federal Regulations, §1.56 and §1.175(a) (7).

5. That we verily believe the original patent to be wholly or partly inoperative or invalid by reason of claiming less than we had a right to claim because the original patent

does not describe the priority rights under 35 U.S.C. §119 to which we are entitled based on Japanese Patent Application Nos. 8-245889 and 9-072265 filed on September 18, 1996 and March 25, 1997, respectively. A claim for the benefit of priority of Japanese Patent Application Nos. 8-245889 and 9-072265 were made at the time of filing the '200 application. However, certified copies of Japanese Patent Application Nos. 8-245889 and 9-072265 were not filed before the original patent was granted to perfect the claim for priority under 35 U.S.C. §119.

6. That we verily believe the original patent to be wholly or partly inoperative or invalid by reason of claiming less than we had a right to claim because the original patent does not describe the priority right under 35 U.S.C. §119 to which we are entitled based on Japanese Patent Application No. 9-192795 filed on July 17, 1997. A claim for the benefit of priority of Japanese Patent Application No. 9-192795 was made at the time of filing the '200 application, and a certified copy of the priority document was submitted to the Patent and Trademark Office when paying the issue fee in the original patent on February 23, 1999 to perfect the claim for priority. Despite the fact that the priority claim based on Japanese Patent Application No. 9-192795 was timely made and perfected, the foreign priority data was, due to a printing error on the part of the Patent and Trademark Office, not printed on the original patent. A request for certificate of correction pursuant to 37 C.F.R. §1.322 has

been filed on August 31, 1999 to add the priority data based on Japanese Patent Application No. 9-192795 in the heading of the original patent.

7. To correct the errors set forth in paragraphs 5 and 6, the heading of the original patent has been amended to add:

**--[30] Foreign Application Priority Data**

September 18, 1996 [JP] Japan.....8-245889

March 25, 1997 [JP] Japan.....9-072265

July 17, 1997 [JP] Japan.....9-192795--.

Certified copies of Japanese Patent Application Nos. 8-245889 and 9-072265 are being submitted concurrently herewith to perfect the right of for priority under 35 U.S.C. §119 based on these priority documents. A certified copy of Japanese Patent Application No. 9-192795 was submitted to the Patent and Trademark Office when paying the issue fee in the original patent on February 23, 1999, thereby perfecting the right of priority under 35 U.S.C. §119 based on this priority document.

8. That the aforesaid failure to file certified copies of Japanese Patent Application Nos. 8-245889 and 9-072265 to perfect the right of priority under 35 U.S.C. §119 before the original patent was granted arose entirely through inadvertence, accident or mistake and without any deceptive intent on our part, or, upon information and belief, on the part of our attorneys.

9. That we hereby appoint Bruce L. Adams, Registration No. 25,386 and Van C. Wilks, Registration No. 25,027 our attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith, and request that all correspondence be directed to ADAMS & WILKS, 50 Broadway, 31st Floor, New York, New York 10004, telephone number (212) 809-3700.

The undersigned applicants assent to this application for reissue of Letters Patent No. 5,905,460 for WRIST WATCH TYPE GPS RECEIVER, granted to us on May 18, 1999, which issued to SEIKO INSTRUMENTS INC., Japan, as assignee. Pursuant to 37 C.F.R. §3.73(b), the assignment of the '460 patent to the assignee is recorded in the Patent Office at Reel 9784, Frames 0764, 0765 and 0766. SEIKO INSTRUMENTS INC., on whose behalf and with whose assent this application is made and who is now sole owner by assignment, hereby offers to surrender said Letters Patent.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

Dated: October 1 , 2001

Hiroshi Odagiri  
HIROSHI ODAGIRI

Dated: October 1 , 2001

Keisuke Tsubata  
KEISUKE TSUBATA

Dated: October 1 , 2001

Takeshi Oono  
TAKESHI OONO

Dated: October 1 , 2001

Kazumi Sakumoto  
KAZUMI SAKUMOTO

Dated: October 1 , 2001


Chiaki Nakamura  
CHIAKI NAKAMURA

ASSENT OF ASSIGNEE

The undersigned, assignee of the entire right, title and interest in and to the aforesaid Letters Patent No.

5,905,460, hereby assents to this application for reissue.

SEIKO INSTRUMENTS INC.

By:   
Shigeru Inagaki

Title: General Manager - Legal and Intellectual  
Property Division

Date: October 4 , 2001

DECLARATION OF SHIGERU INAGAKI


I, SHIGERU INAGAKI, hereby declare:

(1) That I am the General Manager of the Legal & Intellectual Property Division of SEIKO INSTRUMENTS INC., the assignee of the entire right, title and interest in and to United States Letters Patent No. 5,905,460 issued May 18, 1999, and in the specification filed on August 25, 1997 as Application Serial No. 08/918,200.

(2) That I am empowered to sign the Assent of Assignee contained in the application for reissue of the aforesaid Letters Patent No. 5,905,460 on behalf of SEIKO INSTRUMENTS INC.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that any willful false statements or the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

Dated: October 4, 2001

  
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Shigeru Inagaki